

# In the United States Court of Federal Claims

No. 21-1260

(Filed: July 27, 2021)

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**MICHAEL A. TULIPAT,**

Plaintiff,

**v.**

**UNITED STATES,**

Defendant.

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## ORDER OF DISMISSAL

Plaintiff originally filed a petition of review in the United States Court of Appeals for the Ninth Circuit. *See* ECF No. 1. The petition was subsequently dismissed for lack of jurisdiction, and the case was transferred to this court on April 16, 2021. *Id.* Information regarding the transfer and further instructions were served on plaintiff via United States mail on April 21, 2021. Plaintiff was instructed to file a transfer complaint on or before May 19, 2021, but has failed to do so.

Rule 41 of the Rules of the Court of Federal Claims provides that “[i]f the plaintiff fails to prosecute or to comply with . . . a court order, the court may dismiss on its own motion.” RCFC 41(b). Therefore, because plaintiff has failed to file a transfer complaint by the specified date, the complaint is **DISMISSED** for failure to prosecute. The clerk is directed to enter judgment in accordance with this disposition.

No costs.

It is so **ORDERED**.

s/ Charles F. Lettow

Charles F. Lettow

Senior Judge